

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Klaus Hahn et al.

Application No.: 10/581,948

Confirmation No.: 1781

Filed: June 6, 2006

Art Unit: 1796

For: MOLDABLE-FOAM MOLDINGS COMPOSED OF EXPANDABLE STYRENE POLYMERS AND MIXTURES WITH THERMOPLASTIC POLYMERS

Examiner: Negrelli, Kara B.

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the restriction requirement set forth in the Office Action mailed April 2, 2009, Applicant hereby provisionally elects Group III, claims 5, 7-8, and 10-11, drawn to aqueous polymer dispersion for pharmaceutical dosage forms, obtained by free radical polymerization in an aqueous system in the presence of a polymerization initiator, with traverse.

Applicant notes the Examiner's reason for the restriction is due to lack of unity. However, Applicant directs the Examiner's attention to the fact that the above application is a 35 U.S.C. 371 Application of International Application No. PCT/EP2004/014066 and that the unity of the invention was not therein contested. Therefore, Applicant believes that the current objection (lack of unity) is improper, and respectfully requests that the Restriction Requirement be withdrawn.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 12810-00266-US1 from which the undersigned is authorized to draw.

Dated: May 1, 2009

Respectfully submitted,

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